

515.52 - Eligibility of Land

A. Land Eligibility Decisions

NRCS makes land eligibility decisions and maintains copies of the determination in the official EQIP file.

B. Eligible Land

In general, the term "eligible land" means land on which agricultural commodities or livestock are produced in order for an agricultural producer to meet the requirements of [440-CPM, Section 515.51](#). This includes:

- (i) Cropland
- (ii) Rangeland
- (iii) Grassland
- (iv) Pasture land
- (v) Private, non-industrial forestland
- (vi) Other land which the Secretary determines poses a serious threat to soil, air, water, or related resources

Note: Irrigation History:

A participant will be eligible for cost-share or incentive payments for irrigation related structural, vegetative, and land management practices only on land that has been irrigated for two of the last five years prior to application for assistance. State Conservationists will supplement this manual to identify the process and documentation necessary to validate irrigation history.

C. Land Ownership and Control

Land may only be considered for enrollment if the land meets any of the following criteria:

- (i) Privately owned.
- (ii) Publicly owned land where all of the following apply.
- (iii) The land is under private control for the contract period and included in the participant's operating unit.
- (iv) Installation of conservation practices will contribute to an improvement in the identified natural resource concern.
- (v) The conservation practices will directly benefit agricultural land owned by the participant.
- (vi) The participant has written authorization from the Government or Tribal landowner to apply the conservation practices.
- (vii) Tribal, allotted, ceded, or Indian land.

D. Evidence of Control of Land

An applicant must provide satisfactory evidence that control of the land will continue uninterrupted for the contract period. Evidence may include:

- (i) Deed or other evidence of land ownership
- (ii) Lease
- (iii) Other written authorization from the landowner showing control of the land for the life of the contract.

Note: Evidence may already be on file in the FSA county office or NRCS field office and should be referenced.

E. Permission of the Landowners

An applicant proposing to implement a structural or vegetative practice (See [440-CPM, Section 515.81](#)) on rented land must sign the application and submit written concurrence by the landowner at time of application. (See [440-CPM, Section 515.52](#).)

F. Land enrolled in other Conservation Programs

Land enrolled in other conservation programs is eligible under EQIP provided:

- (i) EQIP does not pay for the same practice on the same land as any other USDA conservation program.
- (ii) Land enrolled in CRP may only be offered for enrollment during the last year of the contract and no EQIP practice shall be applied on that land until after the CRP contract has expired or has been terminated.
- (iii) The EQIP practices do not defeat the purpose of either EQIP or the other conservation program.

(See [440-CPM, Section 515.81](#) for practice eligibility).

[M.440.515.F.52 Amendment 35 - October 2006]